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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

BERNARD KUCINSKI et al.

Serial No. **10/765,749**

Filing Date: **1/27/2004**

For: **METHOD FOR SCORING AND
DELIVERING TO A READER TEST
ANSWER IMAGES FOR
OPEN-ENDED QUESTIONS**

Examiner: **Chanda L. Harris**

Art Unit: **3714**

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

APPEAL BRIEF PURSUANT TO 37 CFR §1.192

Pursuant to 37 CFR §1.192, and to the filing of a Notice of Appeal on August 2, 2005, and to the issuance of a Notice of Panel Decision from Pre-Appeal Brief Review dated October 6, 2005, Applicant/Appellant hereby appeals to the Board of Patent Appeals and Interferences from the Examiner's Decision dated May 4, 2005, finally rejecting under 35 USC §102(e) Claims 1-8, 13, 14, and 17-24; and under 35 U.S.C. §103(a) Claims 9-12, 15, and 16. Claims 1-16 are drawn to a method scoring an answer page containing an answer to an open-ended question; Claims 17-25, to a method for delivering an answer page containing an answer to an open-ended question to a reader for scoring. A copy of the claims in the case is attached as Appendix A. The fee for filing this Brief in support of an appeal pursuant to 37 C.F.R. §1.17(c) is enclosed herewith. The Commissioner is authorized to charge or credit any discrepancies in fee amounts to Deposit Account No. 01-0484.

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